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MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Licensing and Regulatory Sub Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 14th
June, 2016 at 2.00 pm**

PRESENT: County Councillor: L. Guppy (Chair)

County Councillors: D.J. Evans and R.J. Higginson

OFFICERS IN ATTENDANCE:

Linda O'Gorman	Principal Licensing Officer
Samantha Winn	Senior Licensing Officer
Huw Owen	Principal Environment Health Officer
Alun Thomas	Specialist Environmental Health Officer
Kristian Williams	Specialist Environmental Health Officer
Robert Tranter	Head of Legal Services & Monitoring Officer
Richard Williams	Democratic Services Officer

ALSO IN A TTENDANCE:

Elfed Roberts	-	Chief Executive, National Eisteddfod
Huw Aled Jones	-	Head of Technical Services for the National Eisteddfod
John Walsgrove	-	Solicitor for the National Eisteddfod
Roderick Jones	-	Objector to the application

APOLOGIES:

None.

1. Declarations of Interest.

There were no declarations of interest made by Members.

2. Application for a Temporary Premises Licence for Eisteddfod Genedlaethol Cymru, Castle Meadows, Land at Racecourse Farm and Land at Llanofar.

We received an application for a Temporary Premises Licence under the Licensing Act 2003 for the Eisteddfod Genedlaethol Cymru.

The Chairman welcomed all to the meeting and introduced Members of the Sub Committee, Officers and representatives present. It was recommended that Members consider and determine the application, on the basis of the information provided.

The Principal Licensing Officer presented the key issues, which summarised:

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The application is for the following:

Supply of Alcohol (On and Off Sales): Monday to Sunday	Start	Finish
Esiteddfod Maes Maes B Caravan Site	11.00hrs 11.00hrs 11.00hrs	00.00hrs 01.30hrs 23.00hrs
Recorded Music (Indoors and Outdoors) Sunday to Tuesday Wednesday to Saturday 29 th July – 6 th August on the Maes and Maes B music will be amplified. No entertainment on the caravan site Wednesday 3 rd to Saturday 6 th Maes B will operate until 02.00hrs Performances on the Maes will end at 23.30hrs on these nights	08.00hrs 08.00hrs	23.00hrs 02.00hrs
Late Night Refreshments (Indoors and Outdoors) Monday to Sunday Mobile units on the Eisteddfod Maes and one unit on the Caravan Site till 01.00hrs On Maes B, “Y Gorlan” will provide hot food for people staying at the Maes B campsite as part of their 24 hour counselling and support service. July 30 th – August 6 th 2016 only.	23.00hrs	01.00hrs
Live Music (Indoors and Outdoors) Sunday to Tuesday Wednesday to Saturday 29 th July – 6 th August on the Maes and Maes B music will be amplified. No entertainment on the caravan site.	08:00hrs 08.00hrs	23:00 hrs 02.00hrs

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<p>Wednesday 3rd to Saturday 6th only Maes B will operate until 02.00hrs (Sunday 7th) Performances on the Maes will end at 23.30hrs on these nights.</p>		
<p>Performances of Dance (Indoors and Outdoors)</p> <p>Monday to Sunday</p> <p>Range of dance performances and competitions as part of the 2016 Eisteddfod July 29th – August 6th. Eisteddfod Maes only. No entertainment on Caravan Site.</p>	08.00hrs	23.00hrs
<p>Plays (Indoors and Outdoors)</p> <p>Monday to Sunday</p> <p>Drama performances by amateur and professional companies July 29th – August 6th 2016 only on the Eisteddfod Maes.</p>	08.00hrs	23.00hrs
<p>Films (Indoors and Outdoors)</p> <p>Monday to Sunday</p> <p>Showing of various videos and films as part of the activities on the Eisteddfod Maes July 29th – August 6th</p> <p>Maes B will also show films and videos on Wednesday 3rd to Saturday 6th until 02.00hrs.</p>	08.00hrs	23.00hrs
<p>Indoor Sporting Events</p> <p>Monday to Sunday</p>	08.00hrs	18.00hrs
<p>Hours open to the Public</p> <p>Monday and Tuesday Wednesday to Saturday Sunday</p> <p>Eisteddfod Maes 08.00 – 01.00</p>	08.00hrs 08.00hrs 08.00hrs	01.00hrs 02.30hrs 00.00hrs

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Maes B entertainment open Wed 3 rd – Sat 6 th August inclusive hence the later hours from Wednesday		
The Sunday refers to July 31 st		
Caravan site will be open from 14.00 on Thursday 28 th July until 14.00 Sunday 7 th August		

The Legislative Reform (Entertainment Licensing) Order 2014 permits live and recorded music for 500 persons between the 08.00hrs – 23.00hrs on licensed premises without the requirement of a licence. The payment received by the Licensing Section for the application referred to above was for a capacity level between 10,000 and 14,999. Therefore, this Order will not be applicable in this instance as the capacity level will exceed 500 people.

The Chair invited other representatives to address the Sub Committee:

The solicitor representing the Eisteddfod Committee outlined the following points:

- The public notice has been displayed at the site and has been properly advertised.
- There has been no objection to the grant of a licence for the Eisteddfod Maes or the caravan site. The objection only relates to Maes B over the four day period.
- Good public consultation has been undertaken in respect of the Eisteddfod. Very few complaints have been received. Instead, considerable support for the Eisteddfod has been received.
- The Secretary of State's Guidance sits alongside local policy. Relevant paragraphs within the guidance supported the local policy.
- The licence, if granted, will run for a short period (four days). Therefore, the Sub-Committee needs to determine whether this will be proportionate or disproportionate.
- Officers have put in a considerable amount of work in preparation for the Eisteddfod.
- The Eisteddfod is a valuable event for Wales and beyond.
- Consider the views of the responsible authorities as they have visited other Eisteddfod events and worked with Eisteddfod Staff. All statutory requirements have been assessed and they have not objected to this application.

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- There is significant legislation in place to address any health and safety issues. It will be a safe event.
- With regard to the path, measures are in place i.e., stewarding and the shuttle buses taking visitors between the two sites. These measures will deter visitors from walking along the riverbank. Therefore, there will be no need to build a bridge across the river, as requested by the objector.

Mr. Roderick Jones, objecting to the application, outlined the following points:

- The dark blue notices in respect of Maes B have been erected on a private road and could not have been seen by the public.
- The Eisteddfod plan indicates that people will be informed by notices, the drop in session, the press and by leaflet. However, the leaflet states that Maes B will be on the Castle Meadows site.
- The noise issue is probably tolerable.
- The main issue is the safety aspect of the Meas B site. Meas B tends to be frequented by young people consuming alcohol. The location of the Maes B site is therefore unsafe, as it is likely that young people, potentially intoxicated with alcohol, will try to walk across Llanfoist Bridge late at night rather than use the shuttle bus.
- The website for Maes B does not state that anyone with an electronic pacemaker / electronic medical device, should not visit the site. Neither does the website state that the flying of kites / drones or fishing at the site should be prohibited.
- The safety aspect of Meas B and the lack of pedestrian access is a serious problem. Removal of the alcohol licence or the provision of safe pedestrian access should be considered.

Having considered the views expressed, the following points were noted:

- Officers will liaise with the Eisteddfod Committee with a view to checking noise levels and agreeing appropriate sound levels.
- Music levels will be reasonable and proportionate which will be agreed on the first night. An acoustic consultant will be on site on the first night.
- Shuttle buses are being provided to transport visitors to the sites on either side of the river.
- It was noted that the Maes B event was established in 1996. Tickets for this event are required. An alcohol licence for the event is in place which will regulate alcohol availability on the site.

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- A risk assessment has been carried out. Shuttle buses and stewarding have been established.
- 24 hour security will be available on the site.
- All issues relating to electricity on the site have been dealt with via the risk assessment.
- If the application is granted, an event safety management plan will ensure that safety conditions are adhered to.
- It was noted that there is no legal requirement to contact the Nation Grid. The pylons on the site will be taken into account via the risk assessment.

Following questioning, officers, the objector, the applicant and the applicant's representatives left the meeting to allow the Committee the opportunity to deliberate and discuss the findings.

Upon re-commencement, the Chair advised those present that the sub-committee had considered the application under the Licensing Act 2003 for a temporary premises licence for the Eisteddfod Genedlaethol Cymru and had reached the following decision:

The sub-committee had heard representations from the applicant and the objector and we had also taken note of all the written representations before it.

In reaching the decision the sub-committee had regard to:

- the Licensing Act 2003.
- the licensing objectives.
- the Council's statement of licensing policy.
- the Guidance issued by the Home Office.

and any other relevant legislation, such as the Human Rights Act 1998 and all the issues raised before it today.

The sub- committee felt that the following issues were relevant:

- Noise levels and monitoring at Maes B.
- The public's safety at Maes B including the safety of the public leaving the site.

Therefore the sub-committee had decided to:

Grant the application for a temporary premises licence, and for the licensable activities as applied for.

The applicant and objector were informed that they may appeal to a magistrates' court against this decision within 21 days of being notified of the decision.

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The applicant and objector will receive written confirmation of this decision within five working days from today.

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